

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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COLE SYSTEMS ASSOCIATES, INC.,	:	
Plaintiff,	:	08 Civ. 6417 (BSJ) (AJP)
-against-	:	<u>RULE 16 INITIAL PRETRIAL CONFERENCE ORDER</u>
MUNICIPAL EMERGENCY SERVICES, INC.,	:	
Defendant.	:	

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**ANDREW J. PECK, United States Magistrate Judge:**

Based on the Initial Pretrial Conference pursuant to Rule 16, Fed. R. Civ. P., held on August 15, 2008 before Magistrate Judge Andrew J. Peck, IT IS HEREBY ORDERED THAT:

1. Any motion to join parties or amend the pleadings must be made by August 30, 2008.
2. All fact and expert discovery must be completed by December 1, 2008.

Expert reports must be served by November 3, 2008 (and November 17, 2008 rebuttal). Mandatory initial disclosure pursuant to Rule 26(a)(1), Fed. R. Civ. P., is due September 30, 2008. The parties shall discuss any issues with respect to electronic discovery before the next court conference.

3. Each party will notify this Court by December 3, 2008 as to whether it intends to move for summary judgment. Summary judgment motions must be filed by December 24, 2008, and must comply with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned.

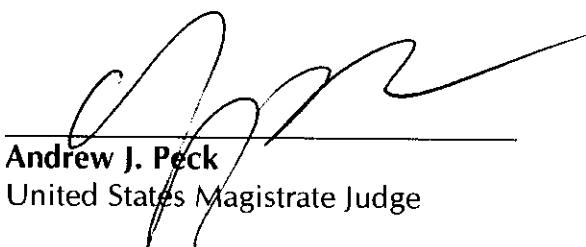
4. The parties are to submit a joint proposed pretrial order, in conformance with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned, by December 24, 2008 if neither party is moving for summary judgment, or 30 days after decision on the summary judgment motion. The case will be considered trial ready on 24-hours notice after the pretrial order has been submitted.

5. A status conference will be held before the undersigned on October 3, 2008 at 10:00 a.m. in Courtroom 20D (500 Pearl Street).

6. The parties are directed to follow the "Individual Practices of Magistrate Judge Andrew J. Peck," a copy of which was previously provided.

SO ORDERED.

DATED: New York, New York  
August 15, 2008



Andrew J. Peck  
United States Magistrate Judge

Copies by fax & ECF to: Peter M. Levine, Esq.  
Sunny H. Kim, Esq.  
Judge Barbara S. Jones